

# HOUSE BILL REPORT

## HB 2254

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**As Reported by House Committee On:**  
Health Care

**Title:** An act relating to peer review committees and coordinated quality improvement programs.

**Brief Description:** Clarifying protections provided to quality improvement activities.

**Sponsors:** Representative Cody.

**Brief History:**

**Committee Activity:**

Health Care: 2/28/05, 3/1/05 [DP].

**Brief Summary of Bill**

- Declares the Legislature's intent to clarify protections for quality improvement and peer review activities conducted by health care providers and facilities.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass. Signed by 9 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Appleton, Clibborn, Green, Lantz, Moeller and Schual-Berke.

**Minority Report:** Do not pass. Signed by 6 members: Representatives Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Condotta, Hinkle and Skinner.

**Staff:** Chris Blake (786-7392).

**Background:**

Hospitals must maintain quality improvement committees to improve the quality of health care services and prevent medical malpractice. Quality improvement proceedings review medical staff privileges and employee competency, collect information related to negative health care outcomes, and conduct safety improvement activities. Provider groups and medical facilities other than hospitals are encouraged to conduct similar activities.

With some limited exceptions, information and documents created for or collected and maintained by a quality improvement committee are not subject to discovery, not admissible into evidence in any civil action, and are confidential and not subject to public disclosure. A person participating in a meeting of the committee or in the creation or collection of

information for the committee may not testify in any civil action regarding the content of the committee proceedings or information created or collected by the committee.

A provision of law immunizes a health care provider who, in good faith, files charges or presents evidence against another provider before a regularly constituted review committee or board of a professional society or hospital on grounds of incompetency or misconduct. The proceedings and records of a review committee or board are not discoverable except in actions relating to the recommendation of the review committee or board involving restriction or revocation of the provider's privileges.

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**Summary of Bill:**

The Legislature's intent to clarify the protections for the quality improvement and peer review activities of health care providers and facilities is declared.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This is a placeholder for discussions related to the application of protections for quality improvement and peer review programs.

**Testimony Against:** None.

**Persons Testifying:** Larry Shannon, Washington State Trial Lawyers Association; and Lisa Thatcher, Washington State Hospital Association.

**Persons Signed In To Testify But Not Testifying:** None.